

Appl. No. : 09/811,978
Filed : March 19, 2001

REMARKS

In response to the Office Action mailed January 6, 2004, Applicant respectfully requests the Examiner to reconsider the above-captioned application in view of the foregoing amendments and the following comments. As a result of the amendments listed above, Claims 1-10 remain pending. Claims 17-21 have been added. Claims 11-16 have been canceled, without prejudice or disclaimer. Claims 1 and 7 have been amended.

In the changes made by the current amendment, ~~deletions are shown by strikethrough~~, and additions are underlined.

The Non-Elected Claims Have Been Canceled

The non-elected claims have been canceled, without prejudice or disclaimer. Specifically, Applicants have canceled Claims 11-16, without prejudice or disclaimer, but reserve the right to pursue such claims at a later date.

Claims 1-9 Are Allowable Over The Applied References

Claims 1-5 and 7-9 presently stand rejected under 35 U.S.C. § 102(e) as anticipated by Bueley et al. or under 35 U.S.C. § 103(a) as unpatentable over Kofstad in view of Bueley et al. Claim 6 presently stands rejected under 35 U.S.C. § 103(a) as unpatentable over Bueley et al. in view of Fall et al or as unpatentable over Kofstad in view of Bueley et al. and Fall et al. Applicants respectfully submit that the claims, as amended, are allowable over the prior art of record and respectfully request withdrawal of the present rejections.

The Bueley et al. reference discloses a slide mounting assembly including a bracket that connects a slide assembly to a rack. The rack includes a plurality of keyhole-shaped apertures. The bracket is fixedly connected to the slide assembly and includes two rivets that are sized, shaped and located for alignment and insertion into two spaced-apart keyholes. A head of each rivet passes through the large opening of the corresponding keyhole and the bracket may then be lowered until the necks of the rivets rest in the lower portion of the keyhole. A spring-loaded pin is positioned to enter the keyhole along with the lower rivet to assist in securing the bracket (and slide assembly) to the rack.

Further, the Kofstad reference discloses a slide mounting assembly including a bracket mounted to a slide assembly. The bracket is connected to a rack by separate fasteners.

In contrast, Claim 1 recites a mounting apparatus including a rack defining a support surface, a first mounting aperture and a second mounting aperture. The apertures are separated

Appl. No. : 09/811,978
Filed : March 19, 2001

by a solid portion of the rack. A bracket is mounted to the end of a slide. The bracket has a first wall that abuts the rack and a second wall that is transverse to the first wall. The bracket also includes a supported portion that extends into the first mounting aperture and defines a supported surface. A latch is mounted on the second wall of the bracket and is moveable between a first position extending into the second mounting aperture and a second position not extending into the aperture. The latch defines a locking surface that cooperates with the supported surface to limit vertical movement of the bracket when the latch is in the first position. The supported portion, the latch and the first wall of the bracket cooperate to substantially entirely surround the solid portion of the rack between the first and second mounting apertures.

The applied references, alone or in combination, do not disclose or suggest a mounting apparatus as recited in Claim 1. Accordingly, Applicants respectfully submit that Claim 1 is allowable over the applied references, as well as the other art of record. Reconsideration and withdrawal of the present rejection of Claim 1 is respectfully requested.

Claims 2-6 depend from allowable Claim 1. These claims are allowable, not only because they depend from an allowable claim, but upon their own merit as well. Accordingly, withdrawal of the present rejection of Claims 2-6 is respectfully requested.

Claim 7 recites a mounting apparatus including a rack defining a support surface, a first mounting aperture and a second mounting aperture. The apertures are separated by a solid portion of the rack. A bracket is mounted to the end of a slide. The bracket includes a supported portion that extends into the first mounting aperture and defines a supported surface. A latch is mounted on the bracket and is linearly moveable between a first position extending into the second mounting aperture and a second position not extending into the aperture. The latch defines a locking surface that cooperates with the supported surface to limit vertical movement of the bracket when the latch is in the first position. The supported portion, the latch and the bracket cooperate to surround the solid portion of the rack between the first and second mounting apertures.

The applied references, alone or in combination, do not disclose or suggest a mounting apparatus as recited in Claim 7. Accordingly, Applicants respectfully submit that Claim 7 is allowable over the applied references, as well as the other art of record. Reconsideration and withdrawal of the present rejection of Claim 7 is respectfully requested.

Appl. No. : 09/811,978
Filed : March 19, 2001

Claims 8 and 9 depend from allowable Claim 7. These claims are allowable, not only because they depend from an allowable claim, but upon their own merit as well. Accordingly, withdrawal of the present rejection of Claims 8 and 9 is respectfully requested.

New Claims Have Been Added

Claims 17-21 have been added. These claims depend from one of allowable Claims 1, 7 or 10. Accordingly, for at least this reason, Claims 17-21 are also allowable. Claims 17-21 are fully supported by the application as filed. Thus, no new matter has been added. Consideration and allowance of Claims 17-21 is respectfully requested

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims and specification. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney, Curtiss C. Dosier at (949) 721-7613 (direct line), to resolve such issue promptly.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: JUNE 7, 2004

By: 

Curtiss C. Dosier
Registration No. 46,670
Attorney of Record
Customer No. 20,995
(949) 760-0404

H:\DOCS\CCD\CCD-5791.DOC: clk
060704